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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

PEDRO VIVEROS JIMENEZ  
Plaintiff,

v.

TIMOTHY AITKEN ET AL.  
Defendants.

Case No. C 13-05443 CRB

DHS No. 075-092-194

**STIPULATION AND ORDER ON  
BRIEFING AND HEARING SCHEDULE  
FOR PLAINTIFF'S PETITION FOR  
WRIT OF HABEAS CORPUS**

1 Plaintiff Pedro Viveros Jimenez and the Federal Defendants, by and through their undersigned  
2 counsel, hereby stipulate as follows.

3 WHEREAS, on the afternoon of November 22, 2013, Plaintiff filed a petition for writ of habeas  
4 corpus, temporary restraining order (“TRO”) and preliminary injunction to be heard on an ex parte basis.

5 WHEREAS, the court ordered a response to the TRO to be filed on Monday, November 25, 2013  
6 with a hearing on Tuesday, November 26, 2013. *See* Dkt No. 4.

7 WHEREAS, the parties have discussed the matter and agree to the following briefing schedule  
8 on the petition *in lieu of* an ex parte proceeding on the temporary restraining order and preliminary  
9 injunction as set forth in Dkt No. 4:  
10

11 The briefing date of November 25, 2013 and hearing date of November 26, 2013 are  
12 taken off-calendar.

13 The government shall file a response to the petition by **Monday, December 9, 2013.**

14 Plaintiff shall file a reply by **Friday, December 13, 2013.**

15 The court shall hold a hearing on either **December 17, 2013** or **December 18, 2013.**

16  
17 **SO STIPULATED.**

18 Respectfully submitted,

19  
20 DATED: November 25, 2013

21 \_\_\_\_\_/S/\_\_\_\_\_  
22 ZACHARY M. NIGHTINGALE  
23 Attorney for Plaintiff

24 MELINDA L. HAAG  
25 United States Attorney

26 DATED: November 25, 2013

27 \_\_\_\_\_/S/\_\_\_\_\_  
28 VICTORIA R. CARRADERO  
Assistant United States Attorney  
Attorneys for Federal Defendants

**PURSUANT TO STIPULATION, IT IS SO ORDERED:**

The briefing date of November 25, 2013 and hearing date of November 26, 2013 are taken off calendar. The government shall file a response to the petition by Monday, December 9, 2013. Plaintiff shall file a reply by Friday, December 13, 2013. The court shall hold a hearing on December 18, 2013 at 2:00 p.m..

DATED: November 25, 2013

